

ROBINS, KAPLAN, MILLER & CIRESI LLP

2800 LASALLE PLAZA  
800 LASALLE AVENUE  
MINNEAPOLIS, MN 55402-2015  
TEL: 612-349-8500 FAX: 612-339-4181  
www.rkmcllp.com

ATTORNEYS AT LAW

**K. CRAIG WILDFANG**  
612-349-8554

October 28, 2011

**VIA ECF**

The Honorable Judge John Gleeson  
United States Courthouse  
225 Cadman Plaza East  
Brooklyn, New York 11201

The Honorable Magistrate Judge James Orenstein  
United States Courthouse  
225 Cadman Plaza East  
Brooklyn, New York 11201

Re: *In re Payment Card Interchange Fee and Merchant Discount Antitrust Litigation*  
Case No. 1:05-MD-1720-(JG)(JO)

Dear Judge Gleeson and Magistrate Judge Orenstein:

I write on behalf of all parties. The parties have further conferred regarding the arguments on the Daubert motions set for next Wednesday and have further recommendations for the Court. Plaintiffs have agreed to offer argument only on their Daubert motion against Professor Murphy, and to submit their other Daubert motion for decision on the papers. Defendants have agreed to offer only arguments on their Daubert motions against Dr. Frankel and Dr. Velluro, and to submit their other Daubert motions for decision on the papers. Plaintiffs and Defendants have further agreed that they will not ask to be heard in opposition to any Daubert motions that the moving party has chosen to submit on the papers.

Very truly yours,

ROBINS, KAPLAN, MILLER & CIRESI L.L.P.

*S/ K. Craig Wildfang*

K. Craig Wildfang

KCW/bsb

cc: All Counsel of Record (via ECF)  
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